

3724

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter J. Fritz

Examiner: Timothy V. Eley

Serial No.: 10/081,794

Group Art Unit: 3724

Filed: February 21, 2002

Docket No.: M120.169.103 (54666US006)

Due Date: August 27, 2005

Title: METHOD FOR ATTACHING A FASTENER TO A SURFACE TREATING MEMBER, AND SUCH AN ARTICLE HAVING A FASTENER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing (1 pg.).
- ☒ Response to Species Requirement mailed 7/27/2005 (2 pgs.)
- ☒ Return Postcard.

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of the application, please charge any additional fees or credit overpayment to Deposit Account No. 500471.

By: 

Name: Timothy A. Czaja

Reg. No.: 39,649

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22 day of August, 2005.

By: 

Name: Timothy A. Czaja



Examiner: Timothy V. Eley

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RESPONSE TO SPECIES ELECTION REQUIREMENT

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

This is responsive to the Office Action mailed July 27, 2005, in which a Species Election under 35 U.S.C. §121 is advanced.

The Examiner required an election between Species I (“sheet of adhesive”) and Species II (“annulus of adhesive”). In response, Applicant hereby elects Species I (“sheet of adhesive”) with traverse. Commensurate with this Election, Applicant asserts that claims 31, 35-48, 52, and 53 are generic, and that claims 31, 32, 35-48, and 52-54 read upon the elected species.

Applicant traverses the election of species requirement on the grounds that no serious burden on the Examiner exists. If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims directed to distinct or independent inventions, as stated in MPEP § 803. Applicant submits that the subject matter of Species I and Species II are sufficiently related that a thorough search for the subject matter of the elected species would encompass a search for the subject matter of the non-elected species. To avoid duplicative examination and unnecessary delay and expense to the Applicant, Applicant respectfully requests examination on the merits of all the species, not just Species I.

Response to Species Election Requirement

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CONCLUSION

Any inquiry regarding this Response should be directed to either Melissa E. Buss at Telephone No. (651) 733-0649, Facsimile No. (651) 736-3833 or Timothy A. Czaja at Telephone No. (612) 573-2004, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

3M Innovative Properties Company
P.O. Box 33427
St. Paul, MN 55133-3427

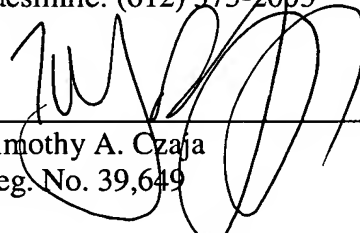
Respectfully submitted,

Patrick T. Jouppi et al.,

By their attorneys,

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Telephone: (612) 573-2004
Facsimile: (612) 573-2005

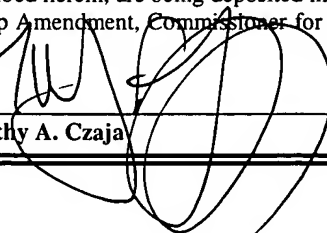
Date: AUGUST 26, 2005
TAC:jmc



Timothy A. Czaja
Reg. No. 39,649

CERTIFICATE UNDER 37 C.F.R. 1.8:

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 26th day of August, 2005.

By 

Name: Timothy A. Czaja